

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

ADAM SAUL FUTO and JAMES BARTLEY
ELLIS, individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

U.S. BANCORP; and U.S. BANCORP
INVESTMENTS, INC.,

Defendants.

Case No. 0:25-cv-01464-ECT-DJF

Honorable Judge Eric C. Tostrud
Magistrate Judge Dulce J. Foster

**DEFENDANTS' UNOPPOSED MOTION TO EXTEND TIME TO ANSWER, MOVE,
OR OTHERWISE RESPOND TO THE COMPLAINT AND TO SET A BRIEFING
SCHEDULE**

Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, Defendants U.S. Bancorp and U.S. Bancorp Investments, Inc. (collectively "Bancorp"), by and through their undersigned counsel, hereby file this unopposed motion for an extension of time to answer, move, or otherwise respond to the Complaint and to set a briefing schedule on any motion to dismiss.

1. On April 15, 2025, Plaintiffs filed the Complaint in this case (ECF No. 1). The Complaint has 155 paragraphs and seeks to represent a putative nationwide class on seven claims.
2. On April 18, 2025, Defendants were served with the Complaint (ECF Nos. 5–6).
3. By default, Defendants' deadline to answer or other respond to the Complaint is May 9, 2025.
4. Defendants recently retained counsel and need additional time to respond to the numerous claims and allegations set forth in the Complaint.
5. Defendants request a 45-day extension of time to answer, move, or otherwise respond to the Complaint, extending the deadline to June 23, 2025.

6. Defendants further request that this Court enter a briefing schedule on their motion to dismiss as follows:

- a. Plaintiffs' response shall be due on or before August 14, 2025;
- b. Defendants' reply shall be due on or before September 15, 2025.

7. Defendants' counsel has conferred with Plaintiffs' counsel and confirmed that Plaintiffs do not oppose the relief sought in the motion.

WHEREFORE, Defendants hereby respectfully request that the Court enter an order providing that: (1) Defendants are granted a 45-day extension of time to answer, move, or otherwise respond to the Complaint; (2) Plaintiffs' response to any motion to dismiss shall be due on or before August 14, 2025; and (3) any reply brief by Defendants shall be due on or before September 15, 2025.

Dated: May 8, 2025

Respectfully submitted,

/s/ Larry E. LaTarte
Larry E. LaTarte (#0397782)
Anderson Tuggle (#0400277)
FAEGRE DRINKER BIDDLE & REATH LLP
2200 Wells Fargo Center
90 South Seventh Street
Minneapolis, Minnesota 55402
Tel: (612) 766-7000
larry.latarte@faegredrinker.com
anderson.tuggle@faegredrinker.com

David L. Goldberg (*pro hac vice forthcoming*)
KATTEN MUCHIN ROSENMAN LLP
50 Rockefeller Plaza
New York, NY 10020
Tel: (212) 940-8800
david.goldberg@katten.com

Peter G. Wilson (*pro hac vice forthcoming*)
Anna Porter (*pro hac vice forthcoming*)

Michael Beirne (*pro hac vice* forthcoming)

KATTEN MUCHIN ROSENMAN LLP

525 West Monroe Street

Chicago, IL 60661

Tel: (312) 902-5200

peter.wilson@katten.com

anna.porter@katten.com

michael.berine@katten.com

*Counsel for Defendants U.S. Bancorp and U.S.
Bancorp Investments, Inc.*